

REMARKS

This is intended as a full and complete response to the Final Office Action dated August 4, 2003, having a shortened statutory period for response set to expire on November 4, 2003. Claims 1, 8, 11-16, 18-22 and 28-37 are pending in the application and stand rejected. Applicants have cancelled claims 35 and amended claim 1 to correct a matter of form not affecting the scope of the invention. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1, 11, 13-16, 18-20, and 28-29 stand rejected under 35 USC § 102(b) as being anticipated by *Rubin et al.* (U.S. Patent No. 4,852,516). The Examiner states that *Rubin et al.* shows the invention as claimed including a multi-chamber apparatus system including a load lock chamber for storage 102 (referring to Figure 7) connected to a multitude of process chambers 100 each chamber including a modular plumbing tray 172 and a chamber tray. The Examiner also states that "any of the individual process chambers 100 of *Rubin et al.* can be considered a 'transfer chamber' since the wafer is physically being moved from one side to the other."

Applicants respectfully traverse the rejection. Referring to Figure 7 as suggested by the Examiner, only the Cleaning Chamber is disposed about the Elevator/Storage Chamber 102 which has been asserted by the Examiner to serve the function as a "load lock chamber." The Cleaning Chamber must then be a transfer chamber in order to meet the limitation in base claims 1, 28, and 29 of "one or more load lock chambers disposed about the transfer chamber." As clearly shown in Figure 7, the Coating Chamber is the only chamber disposed about the cleaning chamber. Therefore, the claim limitation "two or more process chambers disposed about the transfer chamber" is not taught, shown or suggest by *Rubin et al.* Furthermore, nowhere in *Rubin et al.* is it taught, shown, or suggested to have one or more load lock chambers disposed about a transfer chamber; and two or more process chambers disposed about that same transfer chamber, as recited in the base claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 11, 13-16, 18-20, and 28-29 stand rejected under 35 USC § 103(a) as being unpatentable over *Mooring et al.* (WO 99/03133) in view of *Rubin et al.* (U.S. Patent No. 4,852,516). The Examiner states that *Mooring et al.* discloses the claimed invention except "*Mooring et al.* fails to expressly disclose the chamber trays each having a plurality of facility connections that are in fluid communication with the facility connections of the plumbing tray. The Examiner states that *Rubin et al.* discloses this and that it would have been obvious "to modify the apparatus of *Mooring et al.* so as to include a chamber tray having a plurality of facility connections which are in fluid communication with the facility connections of the plumbing tray because this will enable each chamber unit to function as a stand alone unit."

Applicants respectfully traverse the rejection on grounds that the Examiner has not established a *prima facie* case of obviousness. To establish *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. See *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, not in the applicants' disclosure. See M.P.E.P. § 2143, citing *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

For the present rejection, the Examiner has simply re-stated one of the Applicant's own motivations for their invention. The Applicant's own specification is not prior art and hindsight reconstruction of the claimed invention cannot serve as a basis for an obviousness type rejection. No where in the references themselves does it motive or suggest modifying the apparatus of *Mooring et al.* as suggested by the Examiner. Nor has the Examiner cited any passage from within the references themselves to substantiate the "motivation" alleged by the Examiner. Accordingly, the 103 obviousness-type rejection is improper and withdrawal of the rejection is respectfully requested.

Claims 1, 11, 13-16, 18-19, and 28-29 stand rejected under 35 USC § 103(a) as being unpatentable over *Bright et al.* (U.S. Patent No. 6,312,525) in view of *Rubin et al.* (U.S. Patent No. 4,852,516). *Bright et al.* is a reference under 35 USC § 102(e). Applicants submit that the subject matter of *Bright et al.* and the claimed invention were, at the time the claimed invention was made, subject to an obligation of assignment to

Applied Materials, Inc. As such, *Bright et al.* may not be used to substantiate a 103 obviousness type rejection. See 35 U.S.C. § 103(c). Accordingly, withdrawal of the rejection is respectfully requested.

Claims 20-22 stand rejected under 35 USC § 103(a) as being unpatentable over *Mooring et al.* in view of *Rubin et al.* as applied to claims 1, 8, 11-16, 18-19 and 28-29 above, and further in view of *Richards* (U.S. Patent No. 4,584,045). *Mooring et al.* and *Rubin et al.* have both been distinguished above with reference to claim 1, and combination with *Richards* does not affect the patentability of claim 1. Since claims 20-22 depend from claim 1, Applicants' submit these claims are patentable for at least the same reasons. As such, withdrawal of this rejection is respectfully requested.

Furthermore, regarding the subject matter of claims 20-22, *Richards* discloses a single transfer apparatus 14 that includes a transfer arm 84. The transfer arm 84 includes first and second horizontally oriented arm members 86 and 88. (See *Richards* at col. 7, lines 12-53.) Contrary to the Examiner's assertion, *Richards* does not teach, show, or suggest a transfer chamber having two transfer robots, as recited in claim 20. *Richards* also does not teach, show, or suggest a transfer chamber comprising at least one lift, the lift comprising a support shaft, pedestal, lift assembly, and rotational assembly, as recited in claims 21 and 22. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 20-22 stand rejected under 35 USC § 103(a) as being unpatentable over *Bright et al.* in view of *Rubin et al.* as applied to claims 1, 8, 11-16, 18-19 and 28-29 above, and further in view of *Richards* (U.S. Patent No. 4,584,045). As stated above, *Bright et al.* and the claimed invention were, at the time the claimed invention was made, subject to an obligation of assignment to Applied Materials, Inc. As such, *Bright et al.* may not be used to substantiate a 103 obviousness type rejection. See 35 U.S.C. § 103(c). Accordingly, withdrawal of the rejection is respectfully requested.

Claims 20-22 stand rejected under 35 USC § 103(a) as being unpatentable over *Rubin et al.* in view of *Richards*. *Rubin et al.* has been distinguished above with reference to claim 1, and *Richards* does not affect the patentability of claim 1. Since claims 20-22 depend from claim 1, Applicants' submit these claims are patentable for at least the same reasons. Regarding the subject matter of claims 20-22 specifically,

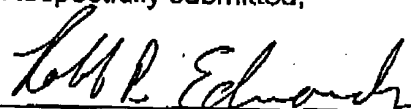
Richards has been distinguished above and that argument is equally applicable to this rejection. As such, withdrawal of this rejection is respectfully requested.

Claims 30-34 and 36-37 stand rejected under 35 USC § 103(a) as being unpatentable over *Bright et al.* in view of *Rubin et al.* as applied to claims 1, 8, 11-16, 18-19 and 28-29 above, and further in view of *Lane et al.* (EP 843,340). As stated above, *Bright et al.* and the claimed invention were, at the time the claimed invention was made, subject to an obligation of assignment to Applied Materials, Inc. As such, *Bright et al.* may not be used to substantiate a 103 obviousness type rejection. See 35 U.S.C. § 103(c). Accordingly, withdrawal of the rejection is respectfully requested.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the Final Office Action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Respectfully submitted,



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